



13049 U.S. PTO

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17302 U.S. PTO  
 10/757279



MAIL STOP PATENT APPLICATION  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

**Attorney Docket No.:** MASIMO.004C4

**Applicants** : Mohamed K. Diab, et al.

**For** : MANUAL AND AUTOMATIC PROBE  
CALIBRATION

**Attorney** : John M. Grover

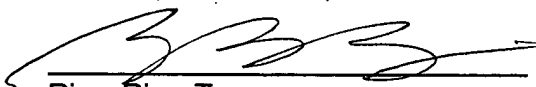
**"Express Mail"**  
**Mailing Label No.** : EV 309088731 US

**Date of Deposit** : January 13, 2004

I hereby certify that the accompanying

Transmittal Letter; Specification in 51 pages; Preliminary Amendment in 9 pages; 20 sheets of drawings; Copy of Declaration by Inventors in 2 pages from the Parent Application; Copy of Petition to Amend Inventor's Name in 2 pages from the Parent Application; Copy of Affidavit of Massi E. Kiani in Support of Petition to Change Name in 2 pages from the Parent Application; Copy of Assignment in 3 pages from the Parent Application; Copy of Power of Attorney by Assignee and Assignment in 5 pages from the Parent Application; Information Disclosure Statement, PTO Form 1449 with 39 references cited in the Parent Application which are not being submitted herewith; Check for Filing Fee; Return Prepaid Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
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**UTILITY APPLICATION**Attorney Docket No.: **MASIMO.004C4**First Named Inventor: **Mohamed Kheir Diab**Title: **MANUAL AND AUTOMATIC PROBE CALIBRATION**Express Mail Label No.: **EV 309088731 US****Direct all correspondence to Customer No.:  
20995**

Date: January 13, 2004

Page 1 of 2

**Mail Stop Patent Application**

United States Patent and Trademark Office

PO Box 1450

Alexandria, VA 22313-1450

The following enclosures are transmitted herewith to be filed in the patent application of:

**INVENTORS LIST:**

1. Mohamed Kheir Diab
2. Massi E. Kiani
3. Charles Robert Ragsdale
4. James M. Lepper, Jr.

**DOMESTIC PRIORITY INFORMATION:**

This application is a continuation of Application No. 10/005,711, filed November 8, 2001, now Patent No. 6,678,543 (Atty. Docket No. MASIMO.004C3), which is a continuation of Application No. 09/451,151, filed November 30, 1999, now Patent No. 6,397,091 (Atty. Docket No. MASIMO.004C2), which is a continuation of Application No. 09/016,924, filed on February 2, 1998, now Patent No. 6,011,986 (Atty. Docket No. MASIMO.004C1), which is a continuation of Application No. 08/478,493, filed on June 7, 1995, now Patent No. 5,758,644 (Atty. Docket No. MASIMO.004A). The present application incorporates each of the foregoing disclosures herein by reference.

**FILING FEES:**

FEE CALCULATION				
FEE TYPE		FEE CODE	CALCULATION	TOTAL
Basic Utility		1001 (\$770)		\$770
Non-English Spec.		1053 (\$130)		\$0
Recordation Fee		8021 (\$40)	0 x 40 =	\$0
Excess Claims > 20	41 - 20 = 21	1202 (\$18)	21 x 18 =	\$378
Independent > 3	4 - 3 = 1	1201 (\$86)	1 x 86 =	\$86
Multiple Claim		1203 (\$290)		\$0
			<b>TOTAL FEE DUE</b>	<b>\$1,234</b>

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# UTILITY APPLICATION

Attorney Docket No.: **MASIMO.004C4**

First Named Inventor: **M hamed Kheir Diab**

Title: **MANUAL AND AUTOMATIC PROBE CALIBRATION**

Express Mail Label No.: **EV 309088731 US**

**Direct all correspondence to Customer No.:  
20995**

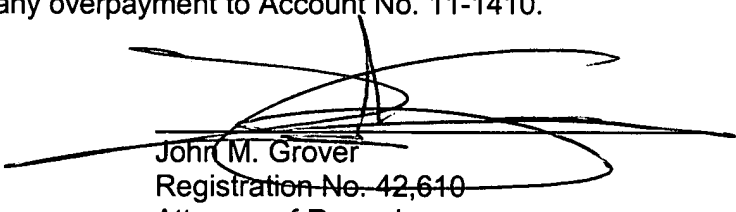
Date: January 13, 2004

Page 2 of 2

## ENCLOSED APPLICATION ELEMENTS:

1. Specification in 51 pages.
2. Preliminary Amendment in 9 pages.
3. Drawings in 20 sheets.
4. Copy of Declaration by Inventors in 2 pages from the Parent Application.
  - Examiner in prior application: Eric F. Winakur
  - Group Art Unit of prior application: 3736
5. Copy of Petition to Amend Inventor's Name in 2 pages from the Parent Application.
6. Copy of Affidavit of Massi E. Kiani in Support of Petition to Change Name in 2 pages from the Parent Application.
7. Copy of Assignment in 3 total pages from the Parent Application.
8. Copy of Power of Attorney form and copy of assignment in 5 pages from the Parent Application.
9. Information Disclosure Statement and PTO-1449 in 4 total pages (IDS and 1449) listing 39 references cited in the Parent Case which are not being submitted herewith.
10. A check in the amount of **\$1,234** to cover the Total Fee Due.
11. Return prepaid postcard.

The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment to Account No. 11-1410.

  
John M. Grover  
Registration No. 42,610  
Attorney of Record  
Customer No. 20,995  
(949) 760-0404

COPY

MASIMO.004C2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Diab et al.	)	Group Art Unit 3736
Appl. No.	:	09/451,151	)	
Filed	:	November 30, 1999	)	
For	:	MANUAL AND AUTOMATIC PROBE CALIBRATION	)	
Examiner	:	E. Winakur	)	

PETITION TO AMEND INVENTOR'S NAME  
PURSUANT TO 37 C.F.R. 1.182

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Applicant hereby requests that his name be changed on Application Serial No. 09/451,151 from Esmail Kiani-Azarbayjany to Massi E. Kiani.

Pursuant to Manual of Patent Examining Procedure § 605.04(c) an Affidavit signed with both names is attached, setting forth the procedure whereby the change of name was effected.

As indicated in the attached Affidavit, Mr. Kiani, changed his citizenship from Iran to the United States. When Mr. Kiani became a U.S. citizen, he also changed his name. Applicant therefore petitions to amend his name in Application No. 09/451,151 to Massi E. Kiani.

Appl. No. : 09/451,151  
Filed : November 30, 1999

A check in the amount of \$130.00 is enclosed to cover the fees for this Petition pursuant to  
37 C.F.R. § 1.17(h).

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: Nov. 8, 2001

By: Stephen C. Jensen  
Stephen C. Jensen  
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